

Patent
10/099,891

REMARKS

Claims 1-11, 13-35, 40-46 and 48-50 are now pending in this application. Claims 12, 36-39 and 47 have been canceled. Claims 1, 16, 17, 30, 35 and 40 have been amended. Claims 1, 16, 17, 30, 35 and 40 are independent claims.

Applicants again thank the Examiner for the indication that Claims 12, 16-17, 19-29 and 40 contain allowable subject matter.

The objections to the drawings and the rejections under 35 USC 112, first paragraph, were withdrawn.

Claims 1, 10, 13, 15, 18, 40, 46 and 48-50 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,501,877 (Weverka) in view of Chu (K.Chu et al., "Scalable Optical -Path Supervisory Scheme Using Pilot Tones and Channel Equalizers", Electronics Letter, Vol. 36, No. 9, 27th April 2000) and US Patent 6,256,430 B1 (Jin). Claims 1-11, 13-15, 18, 30-34, 36-37, 40-46 and 48-50 were also rejected as being unpatentable over U.S. Patent 6,094,296 (Kosaka) in view of Weverka and Jin. Finally, independent Claim 35 was rejected as being unpatentable over Kosaka in view of Weverka, Jin and US Patent 6,721,509 (Xiao et al.).

Each of the rejections is respectfully traversed in light of the foregoing claim amendments and the following discussion, and reconsideration is requested.

In order to place the application in condition for allowance, Claims 16 and 17 have been rewritten in independent form, independent Claim 1 has been amended to include the allowable limitations of Claim 12, each of independent Claims 30 and 35 has been amended to include the allowable limitations of Claim 16, and Claim 40 has been amended to include the allowable limitations of Claim 47.

For at least the foregoing reason, Applicants respectfully submit that each of the pending claims is in condition for allowance.

Since the Applicants have fully responded to the rejections set out in the Office Action, it is respectfully submitted that in regard to the above remarks that the pending application is in condition for allowance and prompt review and issuance is accordingly requested. Should the Examiner be of the view that an interview would expedite consideration of this Amendment or of the application at large, request is made that the

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Examiner telephone the Applicants' undersigned attorney at (908) 518-7700 in order that any outstanding issues be resolved.

Respectfully submitted,

3/21/08

Date


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